



**THE CITY OF NEW YORK
LAW DEPARTMENT**

JAMES E. JOHNSON
Corporation Counsel

100 CHURCH STREET
NEW YORK, NY 10007

Copatrick Thomas
Phone: (212) 356-0885
Fax: (212) 356-2089
cthomas@law.nyc.gov
(not for service)

MEMO ENDORSED

November 24, 2020

VIA ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/24/2020

Re: M.M., et al. v. New York City Dep't of Educ.
Docket No. 20-CV-8249 (VEC)

Dear Judge Caproni:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, attorney for the New York City Department of Education (“DOE”) in the above-referenced action. Pursuant to Rule 2.C of the Court’s Individual Practices in Civil Cases, I write to respectfully request an adjournment of the initial conference in this matter, from December 4, 2020 to February 2, 2020. Plaintiff’s counsel consents to this request.

By Amended Complaint dated October 27, 2020 (ECF No. 9), Plaintiffs seek an award of attorneys’ fees pursuant to the Individuals with Disabilities Education Act (“IDEA”). The parties are optimistic that they will be able to resolve Plaintiffs’ fees claim, but do not anticipate reaching a resolution before December 4, 2020, the date of the initial conference in this matter. I therefore respectfully request a 60-day adjournment of the initial conference in this matter, from December 4, 2020 to February 2, 2021, and further request that the date for submission of the parties’ proposed case management plan and joint letter, as set forth in the Court’s Order of October 7, 2020 (ECF No. 3), be adjourned from November 25, 2020 to January 25, 2021. The requested adjournment should provide sufficient time for the parties to negotiate a settlement of the fees claim, and will hopefully render the scheduled conference unnecessary. If a settlement is reached, the parties will immediately notify the Court.

I have conferred with Plaintiffs’ counsel, who consents to this request.

I thank you for your consideration of this matter.

Respectfully submitted,

/s/
Copatrick Thomas
Assistant Corporation Counsel

cc: Andrea Spratt, Esq.
Attorney for Plaintiffs
(via ECF)

Application GRANTED. The initial pretrial conference is adjourned to **February 5, 2021 at 10:00 a.m.** The parties' joint submission is due by **January 28, 2021**. The parties must appear for the hearing by calling 888-363-4749, using the access code 3121171 and the security code 8249.

SO ORDERED.



11/24/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE